



# Factories Act 1937

1937 CHAPTER 67 1 Edw 8 and 1 Geo 6

## PART X

### MISCELLANEOUS.

#### **113 Notice of occupation of factory, and use of mechanical power.**

- (1) Every person shall, within one month after he begins to occupy, or to use any premises as, a factory, serve on the inspector for the district a written notice stating the name of the occupier or the title of the firm, the postal address of the factory, the nature of the work, whether mechanical power is used and, if so, its nature, the name of the district council within whose district the factory is situated and such other particulars as may be prescribed, and if he fails to do so, he shall be guilty of an offence and liable on conviction thereof to a fine not exceeding twenty pounds or one pound for each day since the expiration of the month aforesaid, whichever is the greater.
- (2) Within one month of the date upon which mechanical power is, after the commencement of this Act, first used in any factory, the occupier shall serve on the inspector for the district a written notice stating the nature of such mechanical power.

#### **114 Posting of abstract of Act and notices.**

- (1) There shall be kept posted at the principal entrances of a factory at which employed persons enter—
  - (a) the prescribed abstract of this Act; and
  - (b) a notice of the address of the inspector for the district and the superintending inspector for the division; and
  - (c) a notice of the name and address of the examining surgeon for the factory; and
  - (d) a notice specifying the clock (if any) by which the period of employment and intervals for meals and rest in the factory are regulated; and
  - (e) every notice and document required by this Act to be posted in the factory:

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Provided that an inspector may direct that all or any of the aforesaid documents shall be posted in such parts of the factory, either in addition to or in substitution for the said principal entrances, as he may direct.

- (2) All such documents shall be posted in such characters and in such positions as to be conveniently read by the persons employed in the factory and, if a form has been prescribed for any document, it shall be posted in that form.
- (3) If any person pulls down, injures or defaces any abstract, notice, regulations or other document posted in pursuance of this Act, he shall be guilty of an offence and liable to a fine not exceeding five pounds.

#### **115 Provisions as to special regulations.**

- (1) Printed copies of all special regulations for the time being in force in any factory or the prescribed abstract of such regulations shall be kept posted in the factory in such characters and in such positions as to be conveniently read by the persons employed in the factory.
- (2) A printed copy of all such regulations shall be given by the occupier to any person affected thereby on his application.

#### **116 General registers.**

- (1) There shall be kept in every factory, or in such place outside the factory as may be approved by the inspector for the district, a register, in the prescribed form, called the general register, and there shall be entered in or attached to that register—
  - (a) the prescribed particulars as to the young persons employed in the factory; and
  - (b) the prescribed particulars as to the washing, whitewashing or colour washing, painting or varnishing, of the factory; and
  - (c) the prescribed particulars as to every accident and case of industrial disease occurring in the factory of which notice is required to be sent to an inspector; and
  - (d) particulars showing every special exception of which the occupier of the factory avails himself; and
  - (e) all reports and particulars required by any other provision of this Act to be entered in or attached to the general register; and
  - (f) such other matters as may be prescribed.
- (2) There shall be attached to the general register a copy of the certificate of the district council relating to means of escape in the case of fire.
- (3) The occupier of a factory shall send to an inspector such extracts from the general register as the inspector may from time to time require for the purpose of the execution of his duties under this Act.

#### **117 Preservation of registers and records.**

The general register and every other register or record kept in pursuance of this Act shall be preserved and shall be kept available for inspection by any inspector or by the examining surgeon for at least two years, or such other period as may be prescribed

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for any class or description of register or record, after the date of the last entry in the register or record.

**118 Periodical return of persons employed.**

- (1) The occupier of every factory shall, at intervals of not less than one year, on or before such days as the Secretary of State may direct, send to the chief inspector a correct return specifying, with respect to such day or days, or such period as the Secretary of State may direct, the number of persons employed in the factory, and giving such particulars as may be prescribed, as to the hours of employment of women and young persons employed, as to the age, sex, and occupation of all persons employed, and as to such other matters, if any, as the Secretary of State may direct.
- (2) The occupier of any place to which any of the provisions of this Act apply shall, if so required by the Secretary of State, make a like return to the chief inspector.
- (3) The Secretary of State may, for the purpose of facilitating the rendering of the returns under this section by occupiers, arrange for the consolidation of those returns with any other returns which any Government department is empowered to call for from occupiers.

**119 Duties of persons employed.**

- (1) No person employed in a factory or in any other place to which any provisions of this Act apply shall wilfully interfere with or misuse any means, appliance, convenience or other thing provided in pursuance of this Act for securing the health, safety or welfare of the persons employed in the factory or place, and where any means or appliance for securing health or safety is provided for the use of any such person under this Act, he shall use the means or appliance.
- (2) No person employed in a factory or in any other place to which any provisions of this Act apply shall wilfully and without reasonable cause do anything likely to endanger himself or others.

**120 Prohibition of deductions from wages.**

Save as otherwise expressly provided under this Act, the occupier of a factory shall not in respect of anything to be done or provided by him in pursuance of this Act, make any deduction from the sum contracted to be paid by him to any person employed or receive or allow any person in his employment to receive any payment from any such person.

**121 Weights, measures and weighing and measuring instruments used in ascertaining wages.**

- (1) Every enactment for the time being in force relating to weights and measures or weighing or measuring instruments shall extend to weights, measures, and weighing instruments used in a factory for the purpose of checking or ascertaining the wages of any person employed therein, in like manner as if they were used for trade, and the power of the Board of Trade to make general regulations under section five of the Weights and Measures Act, 1904, shall include power to extend any of the provisions of any such enactment to such measuring instruments used in factories for the purposes aforesaid as may be specified in the regulations.

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- (2) Every inspector or other person authorised under the Acts relating to weights and measures or weighing or measuring instruments to inspect or examine weights and measures shall inspect, stamp, mark, search for, and examine the weights and measures and weighing and measuring instruments to which those Acts are extended by or under this section, and for that purpose shall have the same powers and duties as he has with respect to weights, measures and instruments used for trade.